United Nations S/PV.4379

Security Council

Fifty-sixth year

Provisional

4379th meeting

Friday, 21 September 2001, 12.10 p.m.
New York

President:	Mr. Levitte	(France)
Members:	Bangladesh	Mr. Ahsan
	China	Mr. Chen Xu
	Colombia	Mr. Valdivieso
	Ireland	Mr. Ryan
	Jamaica	Mr. Ward
	Mali	Mr. Touré
	Mauritius	Mr. Gokool
	Norway	Mr. Kolby
	Russian Federation	Mr. Gatilov
	Singapore	Mr. Mahbubani
	Tunisia	Mr. Mejdoub
	Ukraine	Mr. Kuchinsky
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon
	United States of America	Mr. Hume

Agenda

The situation in Bosnia and Herzegovina

Letter dated 14 September 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/868).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

01-54497 (E)

The meeting was called to order at 12.10 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 14 September 2001 from the Secretary-General addressed to the President of the Security Council (S/2001/868)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Belgium and Bosnia and Herzegovina, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Živalj (Bosnia and Herzegovina) took a seat at the Council table; Mr. De Ruyt (Belgium) took the seat reserved for him at the side of the Council Chamber.

In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina.

I invite Mr. Petritsch to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

I invite Mr. Klein to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them a letter dated 14 September 2001 from the Secretary-General addressed to the President of the Security Council transmitting the twentieth report on the activities of the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, document S/2001/868.

As there is no list of speakers for the Council members, I invite Council members who wish to take the floor to so indicate to the Secretariat as from now.

Following statements by the Council members, I will give the floor to those Member States that have asked to speak under rule 37 of the Council's provisional rules of procedure.

Before giving the floor to those who wish to speak, I should like to extend the apologies of the members of the Council to all those who have had to wait, starting with Mr. Petritsch and Mr. Klein. In our consultations we had an important discussion on the question of terrorism, which delayed the beginning of this public meeting. If members of the Council agree, we can have an hour's discussion now, until 1.15 p.m., and conclude our meeting, and then resume it at 3 p.m. sharp.

I hear no objection.

I now invite the Council to hear briefings by Mr. Wolfgang Petritsch, High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, and Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

I now give the floor to the High Representative for the Implementation of the Peace Agreement on Bosnia and Herzegovina, Mr. Wolfgang Petritsch.

Mr. Petritsch (*spoke in French*): This is the fifth time that I have had the honour of addressing the Security Council. Given the tragic events that took place 10 days ago in New York; Washington, D.C.; and Pennsylvania, one might wonder if perhaps there are not more important questions to be discussed than the

implementation of the Dayton-Paris Peace Agreement on Bosnia and Herzegovina. Many have stated, however, that last week's terrorist attacks prove the truth of the idea of an inevitable clash of civilizations. Indeed, many had put forward the same argument during the horrible war that ravaged Bosnia and Herzegovina until about six years ago.

(*spoke in English*)

I firmly believe that the raison d'être of this world body — the United Nations — is to work actively against this flawed concept, and I wholeheartedly agree with the Secretary-General's assertion in today's *New York Times* that the United Nations is uniquely positioned to advance this effort. Having served now for two years as High Representative for Bosnia and Herzegovina, I am deeply convinced that the Dayton peace process demonstrates that the comprehensive engagement of the international community to heal the wounds of conflict in the Balkans is, in fact, working. Bosnia and Herzegovina is still a country with a very delicate religious, cultural and social fabric. However, its post-war society is about to pull together the strength needed for this State to survive.

In this context, I believe it should be noted that the work which the international community is carrying out in Bosnia and Herzegovina in order to strengthen State institutions and establish the rule of law, which was so obviously absent during and immediately after the war, is also contributing to the overall fight against global terrorism.

Since I last reported to the Security Council on 22 March, there has been considerable progress in this work, which is predicated on empowering the citizens of Bosnia and Herzegovina and bringing the country ever closer to the European mainstream.

At this juncture, let me recapitulate some of the more security-related aspects of our mandate to strengthen the State institutions. In January 2000, I imposed the State Border Service law, establishing an institution which effectively addresses the wartime legacy of fragmented, porous and unprotected borders, patrolled by local police forces which were often complicit in cross-border crime. Since then, the United Nations Mission in Bosnia and Herzegovina (UNMIBH) has taken on responsibility for setting up, training and monitoring the State Border Service. The Service currently covers 75 per cent of the border of Bosnia and Herzegovina. Full deployment is scheduled for the end of September 2002, pending budget allocations.

In the absence of secure State identity documents, my Office — the Office of the High Representative — initiated two years ago, in conjunction with the domestic authorities, the so-called common identity protection system, or Citizens Identity Protection System (CIPS), a package of legal and administrative steps which, among other things, will significantly improve Bosnia and Herzegovina's border regime. Under CIPS, Bosnia and Herzegovina will have its first integrated civil registry. Bosnian authorities can then compare the current passport database with the civil registry of valid Bosnian residents and isolate suspicious cases. This represents a tool that will allow Bosnian authorities to address concerns about their ability to deal with the phenomenon of cross-border crime. CIPS will also create a State-level network operations centre containing a blacklist of internationally wanted persons, as compiled by Interpol.

CIPS will deliver a range of additional benefits to Bosnia and Herzegovina. It will introduce a secure identity card which meets International Civil Aviation Organization standards for use as an international travel document. Most importantly, the information technology supporting the CIPS project will increase the confidence of immigration authorities that Bosnian identity documents are well-managed and secure. We hope that this will be a first step towards easing visa restrictions for citizens of Bosnia and Herzegovina travelling abroad.

As early as February, my Office had proposed to the Bosnia and Herzegovina House of Representatives that the mandate of the Naturalization Commission, which reviews cases of wartime naturalization, be extended so as to address any irregularities in citizenship granted to foreigners during the war in Bosnia and Herzegovina. I reiterated this request to Prime Minister Zlatko Lagumdzija this week when I discussed with him the urgent need for Bosnia and Herzegovina to establish an anti-terrorism task force in his country.

Prime Minister Lagumdzija is the leader of the Alliance for Change, a coalition of non-nationalist parties that formed Governments at the State and Federation level at the beginning of this year. The

Alliance groups together political parties that have significant ideological differences. However, it is held together by a common determination to replace the failed nationalist agenda with a raft of policies aimed at creating a modern European State.

The new, non-nationalist authorities have asserted themselves, and they demand greater respect and a partnership with the international community. Partnership is a necessary and welcome first step towards ownership. Indeed, I am encouraged to see that the Government is embracing the ownership concept I articulated when I arrived in Bosnia and Herzegovina two years ago.

I responded to this new mood when I proposed the establishment of what we call a consultative partnership forum. In this forum I have already started to discuss and resolve urgent issues with the Council of Ministers, reflecting the principle of ownership. The partnership forum is not aimed at replacing existing mechanisms of Government. It will facilitate interaction between the leaders of Bosnia and Herzegovina, on the one hand, and the international community, on the other.

I am now preparing for the inaugural meeting of a civic forum, which will extend informal consultations to intellectuals, business people, media personalities and religious and community leaders. The object of this is to promote active citizenship. Through the civic forum I intend to give the country's recovering civil society a more active role in the public policy discourse.

I have already spoken about the ruling coalition's determination to join the European structures. Allow me to draw the Council's attention to the passage of an election law by the State Parliament on 23 August. This legislation had been stalled for years because of chronic parliamentary obstructionism. I had consistently argued in the past that Bosnia and Herzegovina should pass this most basic of laws necessary for a democratic State, prior to being allowed to join the Council of Europe. Over the summer, a majority of deputies decided to support the law on the grounds that, whatever its limitations, it provides the necessary mechanism for holding free and fair elections. Their decision represents what I may describe as principled pragmatism, and it points towards a promising legislative future for Bosnia and Herzegovina.

While saluting this pragmatism on the part of Bosnia and Herzegovina politicians in securing passage of the election law, I would also like to commend the efforts of the Mission of the Organization for Security and Cooperation in Europe (OSCE) in Bosnia and Herzegovina, which played a crucial role in piloting this legislation onto the statute book. As a consequence, I believe that Bosnia's application for membership in the Council of Europe should now be favourably and rapidly considered.

Let me turn to another burning issue — the state of the economy. Part of the changing circumstances in Bosnia and Herzegovina involves the evolution of a double transition. In addition to the shift from war to peace, Bosnia and Herzegovina is engaged in a transition from a communist command-driven economy to a free market; and, indeed, in many cases, the two are intimately interconnected. For example, the old payment bureaux, which we successfully abolished at the beginning of the year, were remnants of the command economy that stifled enterprise and were also being used to finance the nationalist parties that were dominant during the war. Now, a modern commercial banking system is swiftly taking root in the country.

However, in the last six months, overall economic progress has, unfortunately, been patchy.

August should have seen the selection of a telecommunications company to take up the third mobile phone licence for Bosnia and Herzegovina, a crucial step forward in a strategic economic sector. The Communications Regulatory Agency, established by my decision of March 2001, had organized a tender that required the successful bidder to invest up to $200 million in a new, State-wide mobile phone network. The tender had to be abandoned when two of the four foreign companies that had submitted bids pulled out in the final stages, citing uncertainty over the Council of Ministers' attitude towards incoming investors.

The failure of the GSM tender was of course a self-inflicted wound. What Bosnia and Herzegovina needs is the total, immediate and professional commitment of its leaders to long-term economic reform, not short-term political calculation. My Office will seek to encourage that commitment.

There is a danger that unless the pace of reform in Bosnia and Herzegovina rapidly increases, it will be left behind and will remain the weak link in the regional chain. Bosnia and Herzegovina's overall

economic growth, projected to be around 5 per cent this year, continues to disappoint. According to the World Bank, it would take another six to eight years of annual growth of 6 per cent for Bosnia and Herzegovina to achieve a level of credit worthiness that would be sufficient to finance future development. On the positive side, it has become increasingly apparent that the Alliance parties are beginning to realize that any further delay in instituting real economic reform is not an option. Citizens are impatient, and will not allow their representatives to drag their feet prior to the elections to be held late next year.

The Federation recorded solid growth in the first half of 2001, whereas the economy of the Republika Srpska actually contracted in the same period. However, the fact that growth of any sort has been achieved this year, in the face of declining donor aid and a weak growth of the global economy, may be viewed as a promising indication that the economy of Bosnia and Herzegovina is beginning to function under its own steam, albeit at a minimal level.

The post-war recovery of Bosnia and Herzegovina has depended from the very beginning on the return of refugees and displaced persons to their homes. According to Human Rights Watch, a breakthrough in the return process was achieved last year, and this positive trend was maintained during the first half of 2001. In the first six months of 2001, there were more than 35,000 so-called minority returns, an 85 per cent increase over the same period last year. These figures point to an unstoppable momentum. I view this as a result of activities undertaken by the Reconstruction and Return Task Force (RRTF). The RRTF is the umbrella group of agencies that includes the Office of the United Nations High Commissioner for Refugees (UNHCR), the Stabilization Force (SFOR), the European Commission, the World Bank, the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and the OSCE. The Task Force operates under the auspices of the Office of the High Representative, making common and productive use of information, facilities and personnel.

The process of return depends on economic and social sustainability — the reopening of shops, factories, schools and so on. As communities recover they become better able to absorb larger numbers of returnees. By applying consistent and focused pressure on recalcitrant authorities, the RRTF has been remarkably successful in boosting the number of people who have been able to go home. Let me take this opportunity to underline that the presence of SFOR on the ground remains a precondition for those efforts to be brought to a successful end.

Work has also continued apace to create a political environment that is conducive to return. By the end of July, both entities' Constitutional Commissions, established by me in January to implement last year's Constitutional Court ruling on the constituency of peoples, had adopted provisional reports on draft amendments to their respective entity Constitutions. These amendments will ensure that no citizen living in either entity will experience inequality because of ethnicity or religion. This autumn will likely see an animated debate over the adoption of these amendments by the respective entity Parliaments.

The work of the Constitutional Commissions also demonstrates how the Dayton process can be adapted to meet changing needs. If one day the representatives of the peoples and citizens of Bosnia and Herzegovina decide that they want to amend the core annex of the Peace Agreement, the Constitution, they can do so.

As the country's constitutional settlement is modified through consensus and as politicians turn their attention to pressing issues of economic reform, I have acted decisively to quell any recurrence of separatism.

On 6 April, I placed the Hercegovacka Bank, the biggest bank in Herzegovina and the second biggest in Bosnia and Herzegovina, under provisional administration after I had been presented with clear indications that the bank was being used to finance illicitly a variety of nationalist projects, including the attempt to launch the so-called Croat self-rule, specifically condemned by the Security Council in its statement of 22 March 2001. The extremely violent reaction by a well-organized mob to the establishment of the provisional administration indicates that we went for the right target.

The bank's provisional administrator has spent the summer examining the books and retrieving thousands and thousands of documents which the former management sought unsuccessfully to erase from computer files. She will shortly report her findings.

In March, as a corollary of the self-rule project, thousands of Croat soldiers deserted from the

Federation army. By mid-June a majority had re-enlisted. The hard-line Croat politicians, who had exhorted troops to leave the barracks with the promise that their salaries would continue to be paid and even enhanced, were unable to deliver on this promise. With their failure, one of the most serious challenges to the Dayton peace process was overcome.

While standing firm against regressive nationalism, my office has made consistent and increasingly successful efforts to reach out to moderate Croat leaders and to respond to the legitimate concerns of the Croat constituent people of Bosnia and Herzegovina.

In May, Serb extremists and local thugs attacked local and international participants at the ground-breaking ceremonies for the reconstruction of historic mosques in Trebinje and in Banja Luka, which had been demolished under the wartime regime of the Republika Srpska. One of the participants at the Banja Luka ceremony subsequently died of his injuries. The Republika Srpska authorities conspicuously failed to maintain public security during these well-orchestrated outbreaks of nationalist violence.

After consultations with the Special Representative of the Secretary-General, Mr. Jacques Paul Klein, I asked Republika Srpska authorities to dismiss immediately several high-ranking police officials who had failed in their professional obligations. I also summoned the Republika Srpska leadership — the President, Vice-President, Prime Minister and relevant ministers — to Sarajevo, where I made it clear to them that if they did not make arrangements for the ceremony to proceed, with complete security and appropriate dignity, and if significant changes were not made in the Republika Srpska's social and political structures, there would be serious consequences for the future of the entity. I laid out the steps that must be taken in order to change this regressive mindset, unfortunately prevalent in the Republika Srpska, and the steps that must be taken to find and punish the culprits in the violence of May and to ensure that such violence is never repeated.

In addressing the violence surrounding the mosque ceremonies and the flawed political environment which produced it, I received the forthright support of UNMIBH. The Mission has also been at the forefront of efforts by the international community to ensure that those responsible for the violence of May are identified and prosecuted. Finally, on 18 June, the cornerstone was laid at the Banja Luka mosque site, with the President and Prime Minister of the Republika Srpska in attendance.

On 11 July, a ceremony to mark the sixth anniversary of the massacre at Srebrenica was held without incident. Security was provided by SFOR in cooperation with local police from the Republika Srpska and the International Police Task Force (IPTF).

Meanwhile, I am able to report two promising developments regarding the stance the Republika Srpska is taking on military issues. At the end of July, I communicated to the Republika Srpska and Federal Republic of Yugoslavia authorities that the defence annex to the Special Parallel Relations Agreement that they had just signed had no legal effect, as they had failed to consult my Office, as required by this very agreement. Delegations from the Republika Srpska, the Federal Republic of Yugoslavia and my Office met last month and agreed on the way forward to the conclusion of a future defence annex.

In July, the Bosnia and Herzegovina presidency formally applied for the membership of Bosnia and Herzegovina in the Partnership for Peace programme of the North Atlantic Treaty Organization (NATO). This will require a joint military structure that closely coordinates the operations of Federation and Republika Srpska armed forces. This in turn represents a viable long-term military strategy for Bosnia and Herzegovina. It is particularly encouraging that the initiative for this has come from the tripartite presidency of Bosnia and Herzegovina.

Next week the Republika Srpska National Assembly will decide whether or not to adopt legislation formalizing and facilitating the cooperation of the Republika Srpska with the International Criminal Tribunal for the Former Yugoslavia (ICTY). Regardless of the outcome, the Republika Srpska has a standing obligation to cooperate with the Tribunal, an obligation that it has failed to honour so far. Passage of the bill, though technically unnecessary, would represent an important acknowledgement on the part of the authorities of the Republika Srpska of the fact that their entity cannot continue as the only holdout in the region against the process of international justice. It is high time the remaining fugitives from justice, beginning with Radovan Karadzic and Ratko Mladic, were apprehended and transferred to The Hague. Inasmuch

as these and other indictees have been able to find refuge inside and outside Bosnia and Herzegovina, routinely travelling to and from neighbouring countries, I am seeking to promote a regional response to the apprehension of these fugitives.

One bright spot in regional cooperation has been the succession agreement signed in Vienna on 29 June by the five former Yugoslav republics. Under my separate mandate for this succession issue, I oversaw and mediated the negotiations and acted as a witness to the signature of the agreement. With this treaty, the first agreement since the end of the old Yugoslavia to be concluded among all five States, the protracted legal dismantling of the old Socialist Federal Republic of Yugoslavia is brought to a close. It allows the successor States to gain access to their agreed portion of the former Yugoslavia's assets, an important boost — approximately $125 million in the case of Bosnia and Herzegovina — to their respective State finances. I would like to express my gratitude to the Secretary-General, who graciously accepted my proposal of being the depository of this agreement.

Improving State and entity finances, professionalizing the civil service, promoting the work of independent regulatory agencies, and establishing a modern legal framework: all of this will endow Bosnia and Herzegovina with institutions that can maintain stability and, in due course, take the country into Europe. In the last six months, important progress has been made in developing and strengthening strategic institutions.

The Independent Judicial Commission, which I established last December, replacing the United Nations-led Judicial System Assessment Programme, has the task of strengthening the independent judiciary of the country. It aims to reform the appointment process for judges and other court personnel. It is reviewing the qualifications and conduct of all judges and prosecutors, and it is introducing initiatives designed to improve the training offered to personnel throughout the judicial system over the next 18 months.

Work is also under way to overhaul the civil service, freeing bureaucracy from political influence and raising its standards. We are pushing for the swift adoption of a civil service law prepared by my Office that will professionalize the state civil service, making merit the main criterion for appointment and promotion.

In the spring of this year, I was asked by the Foreign Ministers of the Contact Group, as well as by the Foreign Ministers of the European Union, to oversee the streamlining of civil international peace implementation structures in Bosnia and Herzegovina with a view to improving efficiency and coordination. This is especially important in light of our desire to foster local ownership.

The present level of international commitment cannot be sustained. Donor fatigue has already led to a strategic reduction in actual and projected aid. Equally important: as long as the international community determines politics in Bosnia and Herzegovina to such a large degree, it will inhibit the mature growth of domestic institutions. We thus need to develop, in coordination with the entire international community and in consultation with the local Government, a plan that will set the stage for the final phase of peace implementation in Bosnia and Herzegovina. Let me emphasize the need to focus on the end state, rather than merely on an end date. However, it is imperative that we set benchmarks and develop action plans for our core activities to improve focus and cooperation.

Since my last report to the Security Council, my Office has carried out a comprehensive overview of the international community's activities in Bosnia and Herzegovina. The Office of the High Representative has sought and received proposals from other international agencies. The United Nations mandate given to me, the High Representative, under resolution 1256 (1999) obligates me to take an inclusive approach to our streamlining efforts. At the meeting of the Steering Board of the Peace Implementation Council last week, I invited representatives from UNMIBH, UNHCR, the United Nations Development Programme, OSCE and SFOR to present their views. In its communiqué, the Steering Board has tasked my Office with identifying core requirements and functions for the international community, reviewing tasks, mandates and field presence, and presenting options for a follow-up police monitoring mission. This plan of action will be presented for consideration by the Steering Board at its December 2001 meeting.

Let me state in this context that I appreciate and welcome the presence of Jacques Paul Klein, the Special Representative of the Secretary-General, at this very important meeting.

In concluding, I would like to stress the vision that the international community must adhere to in its efforts. Our task is not to work on a mere exit strategy; Bosnia and Herzegovina needs an entry strategy into European structures. Membership in the Council of Europe is a first step. The European Union has further defined the path with its Stabilisation and Association Agreements.

In my address to the Council, I have gone into some detail in order to demonstrate the at times complex and technical nature of our engagement in Bosnia and Herzegovina. However, I believe that these are indispensable elements of our mission to help build a viable and truly multi-ethnic State of Bosnia and Herzegovina that can take its rightful place in the European family of States.

The President (*spoke in French*): I now give the floor to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

Mr. Klein: At this time of wrenching anguish and tragedy for the people and city of New York, the empathy of the men and women of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for them is real. Many of my staff come from this city; a large part of the United States of America contingent of the International Police Task Force (IPTF) is from the New York City Police Department. They have lost close friends and colleagues. Their ability to console the survivors and their families is limited to the telephone. This is one of the unwritten human dimensions of the job of peacekeeping: the distance from family and friends when tragedy strikes at home.

But our work must go on with new urgency and determination. Weak and failed States are a target of opportunity for extremism. War and conflict have domestic and international consequences long after the fighting has stopped. We have begun to understand a new reality. Without reconciliation, tolerance and the rule of law, we are all potential victims of violence and terrorism.

We must respond on two fronts: to find and punish those who committed these abominable acts and to establish the social, political and economic conditions in which democracy, peaceful resolution of disputes and the rule of law can govern national and international society.

This is precisely what the United Nations Mission in Bosnia and Herzegovina is striving to achieve. UNMIBH has, admittedly, a thin slice of the international mandate, even less than that envisaged in annex 11 of the Dayton Accords. Specifically, our role is to reform and restructure the local police forces, but, as we look at the major domestic and international problem areas — terrorism, corruption, discrimination — the establishment of a professional, non-political and honest police force is the key to resolving each of them. And as we look at the future priorities — economic reform to encourage investment, sustainable minority returns and institution-building — none of these will be achieved without rule of law based on effective policing and an impartial judiciary.

Ambassador Petritsch has reported eloquently on the overall progress of the peace implementation process in Bosnia and Herzegovina. I wish to update the Council simply on the major achievements of UNMIBH since my last briefing in June and to seek its engagement in and guidance on the process of streamlining in the context of imminent decisions about the future of UNMIBH and the United Nations role in Bosnia and Herzegovina.

With respect to the progress of UNMIBH, I must admit to some frustration. Through our Mandate Implementation Plan, UNMIBH is robustly undertaking one of the largest police reform and restructuring missions in history, but, as we have repeatedly noted, the judicial system remains largely dysfunctional. Two weeks ago, a policeman in Trebinje chose not to carry out a potentially dangerous arrest of a known smuggler. His reason was simple: twice before he had put his life at risk arresting this man, but both times the perpetrator had been immediately released by local courts. In such circumstances, police forces cannot be effective. Police reform and judicial reform must proceed hand in hand.

Equally important to the goal of establishing professional police forces is the unresolved salary issue. As long as police do not regularly receive wages sufficient to feed their families, their performance will always be open to compromise and corruption. No amount of restructuring and retraining can overcome economic necessity.

I am prepared to aggressively weed out corrupt and non-performing police officers, but this is ultimately an impossible task if honest policemen cannot make an honest living. For this reason, we have

constantly advocated that priority should be given to police salaries and housing allocation. Judges' salaries were substantially raised a year ago, but police in the Republika Srpska entity have received only nine inadequate salaries in the past 12 months. Consequently, even some of our minority police recruitment projects are suffering. Despite the most intensive efforts, the pool of displaced police officers willing to return to an uncertain and inadequate income is ever diminishing.

Notwithstanding these difficulties, which are beyond the authority of UNMIBH to address, we are making good progress on our core mandate. Our latest review showed that 30 of our 64 projects are completed; 28 are ongoing; and eight are in the planning stage.

The State Border Service (SBS), which Ambassador Petritsch mentioned, now covers about 75 per cent of the border and is already proving its worth. Illegal migration through the Sarajevo airport has decreased from 25,000 last year to about 9,000 as of 15 September this year. Attempts to bypass the Sarajevo airport controls by using the Tuzla airport have been thwarted, and the director of the offending airline company, Air Bosna, has resigned.

We are delighted to have concluded a memorandum of understanding this week with the United Kingdom for the co-location of migration experts with our Border Service Department as part of the European Union Illegal Migration Initiative. There is no alternative to a regional approach to this growing problem.

The State Border Service has also confiscated 1.2 million convertible marka of contraband goods, thus demonstrating that it will contribute to increased customs and excise revenues. It should be borne in mind that effective border controls are a major weapon in the fight against international terrorism. However, to complete this vital project by November 2002, additional funds are urgently required. Assuming that the 2001 State budget is implemented, and a similar allocation is made for 2002, the remaining shortfall is approximately $12 million.

UNMIBH has taken stringent measures against human trafficking. Under the UNMIBH Special Trafficking Operational Programme (STOP), conceptualized by Mme. Celhia de Lavarene, special teams of international and local police are aggressively pursuing traffickers. In the past six months, all 290 known brothels have been raided, some several times. With the assistance of the International Organization for Migration, over 150 women have been repatriated this year alone. We are now focusing on prosecuting traffickers and brothel owners, and on assisting international efforts to identify the gangs behind trafficking. In this regard, more protection needs to be given in their home countries for trafficked women who agree to testify in court.

Through the regular ministerial-level meeting on police and the trilateral Regional Law Enforcement Agreement, we are building patterns and institutions for regional cooperation against organized crime and illegal migration. The State Information and Protection Agency (SIPA) that we are creating will be an essential complement to our efforts to improve the efficiency of police cooperation between the 23 different police administrations in the fight against organized crime. However, we are concerned about possible competing and uncoordinated initiatives. Next week we will chair the first coordination meeting between major regional and bilateral parties working on these issues.

The Police Commissioner Project is fundamental to ensuring an independent and apolitical police force. It is also the first step in the formation of a professional non-partisan civil service. In the Republika Srpska entity and in 6 out of 10 cantons, interim police commissioners have been appointed, pending the amendment of legislation to enable the posts to be formally established and filled permanently through open competition.

But, particularly in the Sarajevo canton and in areas dominated by Croat hardliners, we are meeting political obstruction. In the Croat areas, suitable candidates have been identified, but local authorities are attempting to put conditions on their appointment. In Sarajevo, the Ministry of the Interior, apparently under instructions from members of the Alliance parties, has completely failed to nominate even one candidate, out of 1,800 local police, who meets the simple criteria we have set out — namely, eight years of police experience, not a political office holder and a clean wartime criminal and housing record. I find this to be extraordinary and unacceptable behaviour from political parties who claim to be serious partners with us and the rest of the international community.

UNMIBH is also engaged in constructive dialogue with the Stabilization Force (SFOR) on how to bridge the public order security gap through advanced training of local police riot control support units by the IPTF and the SFOR Multinational Support Units. From recent discussions in Brussels and in Sarajevo, I believe that the will is there, but additional funding is required for accommodation and equipment to enable these units to operate in company-size formations.

This week, UNMIBH began training the second group of 26 military observers for deployment to Ethiopia and Eritrea. The second contingent of civilian police has been deployed to East Timor. By the end of this year, I expect that a multi-ethnic composite logistics unit of over 120 military personnel will be ready for deployment to other United Nations peace operations.

Turning now to streamlining, I have consistently maintained that as long as the international community continues to pursue a piecemeal approach to the Balkans, in which loose coordination among a multitude of actors is an unsatisfactory substitute for purposeful planning, the real opportunities to close a tragic decade of war and instability will go begging. Streamlining presents a unique and long-overdue opportunity to correct the deficiencies in the structure and activities of the current international presence. But this opportunity can be realized only if streamlining moves beyond mere ad hoc downsizing of existing international operations and organizations and is instead based on an agreed international strategic vision and plan that has the authority and support of the Security Council.

Also, decisions must be made in the coming months about the future of United Nations peace operations in Bosnia and Herzegovina. Next month, UNMIBH must present its budget for the period July 2002 to June 2003. Bearing in mind that the UNMIBH core mandate is scheduled for completion in December 2002, I seek your guidance on what should remain in 2003, other than an administrative liquidation presence.

Last week, at Ambassador Petritsch's invitation, I addressed the Peace Implementation Council Steering Board in Brussels. I noted that any decision regarding a continued United Nations peacekeeping presence in Bosnia and Herzegovina after 2002 is the sole prerogative of the Security Council. With respect to the specific goals and directions of streamlining, I emphasized that the establishment of the rule of law has to be a core task of the international peace implementation effort and that without it the other three core goals — refugee return, institution building and economic development — cannot be achieved.

Council members may ask what is the optimum manner in which to carry out the core tasks. On the basis of extensive United Nations and personal experience in the region, I believe that streamlining should be based on the following key elements.

One element is a comprehensive 2002-2005 Dayton Implementation Plan, with benchmarks and timelines, endorsed by key international bodies — the United Nations, the Peace Implementation Council, the European Union, the Organization for Security and Cooperation in Europe (OSCE) and the North Atlantic Treaty Organization — and including guaranteed multi-year funding of the agreed programmes.

The implementation of the agreed plan should prepare the country for the commencement of European integration, which ultimately is the only long-term basis for stability in Bosnia and Herzegovina and the wider region.

In the medium term, activities for each of the core tasks — rule of law, refugee return, institution building and economic development — should be functionally consolidated so that one organization will have primary responsibility over each core programme and be held accountable for carrying out its part of the Dayton Implementation Plan according to realistic but strict deadlines.

SFOR should be included in this process. Without the implementation of some key tasks in the military sector, civilian implementation will be incomplete. Moreover, a continued robust SFOR presence is an absolutely essential component of civilian peace implementation.

Turning now to the question of implementation of the core programme of the rule of law after 2002, I raise the following considerations.

Subject to the necessary financial and political support, UNMIBH is on track to complete its technical mandate of police reform and restructuring by December of next year. At that time, there will be approximately 20,000 vetted local police plus the SBS, trained according to European standards and organized

in accountable and transparent civilian police structures, with a basic level of police equipment. Local riot control units will be fully established. The institutions and mechanisms for internal and regional police cooperation and mechanisms for progressively increasing the multi-ethnic composition of police will be ongoing.

In sum, the police forces in Bosnia and Herzegovina will know how to do their work professionally, but their willingness and ability to do so will continue to be severely constrained by political interference in policing, inadequate and irregular salaries and the lack of effective and impartial judicial institutions.

In these circumstances, a follow-on intrusive police-monitoring mission post-2002 will be essential to ensure that the achievements of UNMIBH are not lost and that the ongoing work of the international community is not compromised.

Irrespective of which organization should take on the task, two options merit consideration: a stand-alone police-monitoring mission or a comprehensive rule-of-law mission, as originally envisaged in annex 11 of the Dayton Accords. With the Council's engagement, involvement and guidance, streamlining offers a unique and timely opportunity to make the optimum decision.

Option one is a stand-alone police-monitoring mission. The role of the mission would be to ensure that local police planning and performance in the key areas of returnee security, public order and human rights are monitored intensively; internal and regional coordination and cooperation is maintained; minority recruitment continues; and police structures are not politically compromised. This suggests a mission of between 450 and 500 international police personnel, plus interpreters and administrative support staff.

Option two is a comprehensive rule-of-law mission that would bring together under one roof the police, the judiciary and the penal system. This would implement the lessons learned from United Nations experiences in Kosovo and East Timor, which demonstrated that there is a triangle in which the police, the judiciary and the penal system are inseparable. It would be consistent with the principle of one organization — one responsibility, which is a desired outcome of the streamlining process. And it would facilitate the introduction of a more efficient "pillar" structure for the organization of the international effort in Bosnia and Herzegovina.

If option two is preferred, the United Nations has extensive expertise and capacity to take on such a mission. In this way, peace implementation would continue to be a collective endeavour between five principal organizations, but with clearer mandates and responsibilities. For example, the High Representative would be responsible for the core programme of institution-building, the Office of the United Nations High Commissioner for Refugees (UNHCR) would manage refugee return, the OSCE would do democratization and human rights, SFOR would be responsible for security and the United Nations would manage the rule of law.

I raise these possibilities for the Council's consideration and guidance. Even though the current UNMIBH mandate runs until June 2002, if UNMIBH is to be terminated in December 2002, urgent decisions are required to plan the downsizing and liquidation of the Mission and to enable the successor organizations to plan its future mission.

(*spoke in French*)

The terrorist attacks carried out in New York and Washington D.C. last week were attacks on us all. Those who reject peaceful conflict resolution, and turn instead to indiscriminate terror against innocents, reject the very basis of civilization. The role of the United Nations in seeking to rid the world of the scourge of war is more important than ever. Only an international structure and consensus can successfully take on this global challenge. We say it so often that we sometimes overlook that the United Nations was formed specifically because nations were united in their commitment to the peaceful resolution of disputes and the rule of law. That commitment needs to be reinvigorated now.

Bosnia and Herzegovina cannot be seen as some distant venture, isolated from global developments. The international community has real and abiding interests. Bosnia and Herzegovina remains a test case for the ability of three ethnic and religious groups — Bosniacs, Serbs and Croats — to live in tolerance in one State under the rule of law.

If the multi-ethnic society of Bosnia and Herzegovina fails this test, after six years of efforts and $6 billion of international investment, I fear there will

be no hope for multi-ethnic States anywhere in the Balkans or in any other area of the world where there is historical, religious and cultural dissent. In such circumstances, further State fragmentation and violence are likely, and the international community will yet again have to deploy a massive long-term military presence to prevent non-viable mono-ethnic mini-States from going to war with each other, with their own minorities or with the international order at large.

I urge the Council to remain engaged and to resist fatigue, be it political, donor or compassion fatigue. Give the world the leadership and the vision necessary to make the ideals of this great institution a global reality.

Mr. Kuchinsky (Ukraine): At the outset, let me thank High Representative Petritsch and Special Representative Jacques Paul Klein for their succinct and lucid briefings, as well as for their comprehensive report, which provided us with a clear vision of the current situation in Bosnia and Herzegovina.

My delegation is encouraged by the positive tendencies testifying to the fact that the general situation in that country has become more stable. Ukraine welcomes the results-oriented efforts of the High Representative aimed in particular at consolidating the Bosnia and Herzegovina State institutions and at strengthening their competencies. We also appreciate the High Representative's activities focused on economic reform and refugee return.

We are pleased to note further progress in creating a multi-ethnic and multicultural united State of Bosnia and Herzegovina based on the democratic and humanitarian ideals of modern Europe.

Ukraine particularly welcomes the recent decision of the House of Representatives of Bosnia and Herzegovina to adopt the election law, which in fact was a major step forward on the road to European integration. It is also an important prerequisite for the accession of Bosnia and Herzegovina to the Council of Europe.

In this context, I wish to commend the successful work of the Office of the High Representative and the representatives of the Organization for Security and Cooperation in Europe, which made a remarkable contribution to achieving this political compromise. We support the steps of the High Representative aimed at stabilizing political life in Bosnia and Herzegovina. My delegation fully endorses the measures taken to preserve the country's unity and to create conditions necessary for the productive work of State institutions based on non-nationalistic principles.

Ukraine welcomes the adoption by the Council of Ministers of the Stability Pact Charter for Media Freedom. We believe that this important step will provide a new impetus to the further development of free and pluralistic media in the country. Let me also mention the adoption of the Bosnia and Herzegovina defence policy, which has strengthened the authority of the presidency in the field of defence and security. We believe that such a decision will help intensify the further development of Bosnia and Herzegovina's security and defence identity.

In this context, my delegation supports the intention of Bosnia and Herzegovina to join the Partnership for Peace programme. We hope that a positive response to this initiative can provide an important incentive for Bosnia and Herzegovina in taking forward the political and military reforms.

As for the economic dimension, we are confident that the advancement of economic reforms in the country should continue to be a key element of the international community's strategy. At the same time, we should be realistic about the fact that Bosnia and Herzegovina will continue to face serious economic difficulties until the structural reform has been fully implemented. My delegation welcomes the decision made by the High Representative, in pursuit of economic reforms in the financial, labour and pension sectors, in creating a favourable environment for the effective functioning of industry and trade and in promoting the privatization process.

We have noted the concern expressed by the High Representative about the state of public finances in the country, as indicated by the results of the audit of the entity budgets for 2000. In this respect, let me stress again that effective economic reforms in any country are impossible without sound and transparent financial administration.

While noting the recent progress on returns of minorities, we believe that much more should be done in ensuring the conditions necessary for their security and the equality of their rights upon their return. In this respect, it is of particular importance to make the property laws effective, to promote further

comprehensive judicial reform and to strengthen human rights institutions. My delegation applauds the measures taken by the High Representative in this regard.

Finally, I would like to take this opportunity to underline the importance we attach to ensuring the human rights not only of the three constituent peoples of Bosnia and Herzegovina, but also of its national minorities. As the Council knows, the Ukrainian ethnic community constitutes the fourth-largest ethnic group in the country. My delegation commends the efforts of the High Representative aimed at improving conditions for the national, political and cultural revival of the national minorities in the country. Moreover, I would like to express our readiness to be useful to the Office of the High Representative in this important work. At the same time, we would greatly appreciate the comments of the High Representative on the current situation in the field of the protection of the rights of national minorities. My delegation would also welcome his remarks on further necessary steps in this regard.

The President (*spoke in French*): Since we are running late, I will call on two more speakers before suspending the meeting.

Mr. Hume (United States of America): Given the lateness of the hour, I will be brief.

I would like to thank our two visitors for the briefings they gave us today. I think they have given us a great deal to think about as we look at how to go ahead with the international community's continuing responsibility to support the implementation of the Dayton Peace Accords.

The streamlining process that we have heard about reflects the evolution of the international community's role in Bosnia and Herzegovina and is a clear signal to its leaders about the need to work together ever more diligently to make progress on refugee returns, joint State institutions and economic reform.

On hearing the High Representative's report about the slow progress in building healthy joint State institutions for Bosnia, it strikes me that this is a problem not only because citizens are deprived of necessary services but also because the investment required for economic growth and for security is discouraged. I think that we will have to find some way to institutionalize the sense of urgency rather than accept practices of procrastination. If we are able to do that, we are more likely to find overall success.

We think that there must be a concerted effort by the Office of the High Representative and Bosnia's leaders, recognizing the progress that has already been made in some of these areas, to strengthen border controls, passport issuance and the fight against the organized smuggling of women and other transnational crimes that are often linked to terrorist activities.

We have appreciated what we have been briefed on in this regard, but obviously this is an effort that has to be pushed even further. We are encouraged that progress on refugee returns continues to improve — quite dramatically, in fact. But this will not be sustainable without progress in consolidating and strengthening Bosnia's joint institutions. One of the key issues in the streamlining exercise is addressing the police-related mission that will remain after the United Nations Mission in Bosnia and Herzegovina has completed its work next year. This fundamental task is one of the priority considerations that is guiding our thinking about the future.

Mr. Eldon (United Kingdom): I, too, will be extremely brief. I can afford to do so not least because the representative of the European Union will be speaking later in the debate.

I would like to focus on three key points, the first of which is the streamlining exercise. I do not think it would be appropriate now for me to go into the details of the pros and cons one way or the other. Certainly, as Ambassador Hume said, the future police presence is going to be one key element of whatever is put together. But I think that we, the international community generally and the Steering Board will look to be presented later in the year with a solution with which all the various constituent bodies and organizations are happy; which avoids duplication; and which meets the long-term vision, so to speak, about which Mr. Petritsch and Mr. Klein have spoken.

I would just like to take this opportunity to say to the Office of the High Representative and to the High Representative himself that we hope that work will be taken forward quickly against the sort of background and within the parameters that I have just outlined.

Secondly, on the State Border Service, Mr. Klein referred to the recent memorandum of understanding that the United Kingdom signed with the United

Nations Mission in Bosnia and Herzegovina. We continue to regard the State Border Service as a matter of high priority, and I was very interested to hear that 75 per cent of the border is now covered. We would be interested to have Mr. Klein's assessment later on as to how long it will take to cover 100 per cent of the border.

Finally, I would just like to support what Ambassador Hume said about refugee returns and ask what progress there has been on implementing the Constitutional Court's decision on constituent peoples. It will be interesting to hear from Mr. Petritsch whether the entities' Constitutional Commissions are yet close to reaching an agreement on this subject.

The President (*interpretation from French*): I propose to suspend the meeting and to resume promptly at 3 p.m. I ask that everyone be here at 3 p.m. precisely.

The meeting was suspended at 1.20 p.m.